

HOUSE BILL 2833

By Camper

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 40 and Title 41, relative to the release of
offenders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 35, is amended by adding
the following as a new part:

40-35-601.

This part is known and may be cited as the "Restoration of Dignity for the Elderly
Act."

40-35-602.

As used in this part:

- (1) "Department" means the department of correction; and
- (2) "Elderly inmate" means an inmate who:
 - (A) Is sixty (60) years of age or older;
 - (B) Has served a minimum of sixty-five percent (65%) of the sentence imposed by the court, less any sentence credits earned and retained by the elderly inmate;
 - (C) Is not serving a sentence for:
 - (i) A violent sexual offense, as defined in § 40-39-202; or
 - (ii) More than one (1) conviction for first degree murder, pursuant to § 39-13-202, or facilitation of first degree murder; and
 - (D) Is not serving a sentence of imprisonment for life without parole.

40-35-603.

(a) Notwithstanding this chapter or title 40, chapter 28, part 1, to the contrary, the department shall create and develop a five-year pilot program for release and parole of elderly inmates.

(b) The pilot program must provide:

(1) For the release and parole of elderly inmates to home detention under the supervision of the board of parole; and

(2) That if an elderly inmate violates the terms of home detention, then the elderly inmate's release to home detention may be revoked.

(c) By March 1 following the end of each year in which the pilot program is in effect, the department shall file with the judiciary committee of the senate, the criminal justice committee of the house of representatives, the state and local government committee of the senate, and the state government committee of the house of representatives a report evaluating the performance of the pilot program. The report must state:

(1) Whether the pilot program resulted in a decrease in the total prison population of this state;

(2) Any cost savings to the state as a result of the pilot program;

(3) The impact of the pilot program on the safety of communities affected by the pilot program; and

(4) Other available information regarding the benefits and consequences of the program.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.